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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09/780,696	02/09/2001	Michael Waller	8771.00	7519
7590 02/18/2005			EXAMINER	
Michael Chan Intellectual Property, Law Department, NCR Corp.			WEISBERGER, RICHARD C	
101 West Schantz, ECD-2			ART UNIT	PAPER NUMBER
Dayton, OH 45479-0001			3624	
			DATE MAILED: 02/18/2003	5

Please find below and/or attached an Office communication concerning this application or proceeding.

The MAILING DATE of this communication appears on the Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET T THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no evaluation after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the state. If NO period for reply is specified above, the maximum statutory period will apply and will reply to reply within the set or extended period for reply will, by statute, cause the app Any reply received by the Office later than three months after the mailing date of this concerned patent term adjustment. See 37 CFR 1.704(b).	Art Unit 3624 E cover sheet with the correspondence address TO EXPIRE 3 MONTH(S) FROM ent, however, may a reply be timely filed utory minimum of thirty (30) days will be considered timely. ill expire SIX (6) MONTHS from the mailing date of this communication. lication to become ABANDONED (35 U.S.C. § 133). immunication, even if timely filed, may reduce any enon-final. for formal matters, prosecution as to the merits is
Richard C The MAILING DATE of this communication appears on the Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET T THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no ever after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the state. If NO period for reply is specified above, the maximum statutory period will apply and with a Failure to reply within the set or extended period for reply will, by statute, cause the app Any reply received by the Office later than three months after the mailing date of this concearned patent term adjustment. See 37 CFR 1.704(b). Status 1) Responsive to communication(s) filed on 2b) This action is n	TO EXPIRE 3 MONTH(S) FROM ent, however, may a reply be timely filed utory minimum of thirty (30) days will be considered timely. ill expire SIX (6) MONTHS from the mailing date of this communication. lication to become ABANDONED (35 U.S.C. § 133). mmunication, even if timely filed, may reduce any enon-final. for formal matters, prosecution as to the merits is
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3) Since this application is in condition for allowance except	•
	ayle, 1935 C.D. 11, 453 O.G. 213.
closed in accordance with the practice under Ex parte Qu	
Disposition of Claims	
4)⊠ Claim(s) <u>1-32</u> is/are pending in the application.	
4a) Of the above claim(s) is/are withdrawn from con	nsideration.
5) Claim(s) is/are allowed.	
6)⊠ Claim(s) <u>1-32</u> is/are rejected.	
7) Claim(s)is/are objected to.	
8) Claim(s) are subject to restriction and/or election re	equirement.
Application Papers	
9) The specification is objected to by the Examiner.	
10) $igotimes$ The drawing(s) filed on <u>01 February 2000</u> is/are: a) $igotimes$ acc	cepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) to	
Replacement drawing sheet(s) including the correction is require	
11) The oath or declaration is objected to by the Examiner. No	ote the attached Office Action or form P10-152.
Priority under 35 U.S.C. § 119	
12) Acknowledgment is made of a claim for foreign priority und	der 35 U.S.C. § 119(a)-(d) or (f).
a)⊠ All b)□ Some * c)□ None of:	
1. Certified copies of the priority documents have bee	
2. Certified copies of the priority documents have bee	
3. Copies of the certified copies of the priority docume	_
application from the International Bureau (PCT Rule * See the attached detailed Office action for a list of the certi	• • •
See the attached detailed Office action for a list of the certi	ned copies not received.
	•
Attachment(s) 1) Notice of References Cited (PTO-892)	4) Interview Summary (PTO-413)

U.S. Patent and Trademark Office PTOL-326 (Rev. 1-04)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)

Paper No(s)/Mail Date 8/21/2003.

6) Other: _

Paper No(s)/Mail Date. _____ .

5) Notice of Informal Patent Application (PTO-152)

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. Claims 12 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The nature of the biometric identification identifiable via wireless telephone is unclear.

- 2. Claims 1-32 rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over South China Morning Post, Make-Over Opens Up World Of Potential.
- 3. An issue of public use or on sale activity has been raised in this application. In order for the examiner to properly consider patentability of the claimed invention under 35 U.S.C. 102(b), additional information regarding this issue is required as follows: The reference speaks to trials of an ATM that either anticipates or render obvious the claimed invention. Please submit any information regarding this so called prior use.

Applicant is reminded that failure to fully reply to this requirement for information will result in a holding of abandonment.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard C Weisberger whose telephone number is 703 308 4408.

Application/Control Number: 09/780,696

Art Unit: 3624

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vince Millin can be reached on 703 308 1065. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

> Richard C Weisberger **Primary Examiner**

Art Unit 3624